



Report to the Auburn City Council

Action Item	3
Agenda Item No.	
City Manager's Approval	

To: Mayor and City Council Members
From: Reg Murray, Senior Planner *RM*
Date: March 9, 2009
Subject: Second Reading – Repeal of Auburn Municipal Code Chapter 151
(Environmental Quality)

The Issue

Should the City Council hold the Second Reading to repeal Chapter 151 (Environmental Quality) of the Auburn Municipal Code?

Conclusions and Recommendation

- A. By Ordinance, hold a Second Reading, by title only, repealing Auburn Municipal Code Chapter 151 (Environmental Quality).

Background

On February 23, 2009, the Auburn City Council considered a Resolution to adopt Local CEQA Guidelines and an Ordinance to repeal Chapter 151 (Environmental Quality) of the Auburn Municipal Code (AMC). The matter was approved from the Consent Calendar, including the adoption of the resolution and the introduction of the Ordinance for first reading. The ordinance repealing Chapter 151 is provided with Exhibit A.

Alternatives Available to Council; Implications of Alternatives

- A. Deny the Second Reading repealing Chapter 151 (Environmental Quality).

Additional Information

Please see the following for more details:

EXHIBITS

- A. Ordinance repealing Chapter 151 (Environmental Quality)

ORDINANCE NO. 09-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN REPEALING
CHAPTER 151 OF THE AUBURN MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

Chapter 151 of the Auburn Municipal Code, entitled "Environmental Quality Law of the City of Auburn" dates from 1973 and has become outdated. The City Council intends to repeal it and adopt by resolution local California Environmental Quality Act (CEQA) guidelines consistent with CEQA. The local CEQA guidelines are also consistent with the City of Auburn General Plan and the public interest, health, safety, and welfare of the City of Auburn.

THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS:

Section One: Chapter 151 of the City of Auburn Municipal Code is hereby repealed.

Section Two: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Three: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law.

Section Four: Should any provision of this Ordinance, or its application to any person, parcel or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or

1 the application of this Ordinance to any other person, parcel or circumstance
2 and, to that end, the provisions hereof are severable.

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4 DATED: _____, 2009
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8 _____
J.M. Holmes, Mayor

9 ATTEST:
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12 _____
Joseph G. R. Labrie, City Clerk

13 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
14 that the foregoing ordinance was duly passed at a regular meeting of the City
15 Council of the City of Auburn held on the ____ day of _____ 2009 by the
following vote on roll call:

16 Ayes:

17 Noes:

18 Absent:
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21 _____
Joseph G. R. Labrie, City Clerk
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